

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

---

GERALD P. CZUBA, both individually  
and on behalf of a class of others  
similarly situated,

Plaintiff,

v.

IKO MANUFACTURE, INC.,

Defendants.

---

Case No. 09-cv-0409 (WMS)

**NOTICE OF MOTION FOR  
ADMISSION *PRO HAC VICE***

Moving Party:	Plaintiff.
Directed To:	Court.
Date and Time:	To be scheduled by the Court.
Place:	U.S. Courthouse, 68 Court Street, 4 <sup>th</sup> Floor, Buffalo, New York.
Supporting Papers:	Declaration of Charles J. LaDuca in support of motion for admission <i>pro hac vice</i> of Brendan S. Thompson, with sworn petition and oath.
Relief Requested:	An order of this Court admitting Brendan S. Thompson, <i>pro hac vice</i> for purposes of representing the plaintiff in this action.
Grounds for Relief:	Rule 83.1(i) of the Local Rules of the Western District of New York.
Answering Papers:	If any, are required to be served at least three business days prior to the return date of this motion, in accordance with Local Rule 7.1(c).

Oral Argument: Not requested.

Dated: June 8, 2009

**CUNEO GILBERT & LADUCA, LLP**

By s/Charles J. LaDuca

Charles J. LaDuca, Bar #3975927  
CUNEO GILBERT & LADUCA, LLP  
507 C Street, N.E.  
Washington, DC 20002  
(202) 789-3960

*Counsel for Plaintiff*

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

---

GERALD P. CZUBA, both individually  
and on behalf of a class of others  
similarly situated,

Plaintiff,

v.

IKO MANUFACTURE, INC.,

Defendants.

---

Case No. 09-cv-0409 (WMS)

**DECLARATION OF CHARLES J. LADUCA IN SUPPORT  
OF MOTION FOR ADMISSION PRO HAC VICE**

Charles J. LaDuca, being first duly sworn, deposes and states upon personal knowledge and information as follows:

1. I am a partner with the firm of Cuneo Gilbert & LaDuca, LLP, located at 507 C Street, N.E., Washington, DC 20002.

2. I am counsel for the Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to Brendan S. Thompson as counsel pro hac vice to represent the Plaintiff in this matter.

3. I am a member of the New York and District of Columbia Bars. I was initially admitted to the New York Bar in 2001. In addition, I was admitted to practice in this District on August 9, 2005. I am also admitted to practice in the U.S. Court of Appeals for the Third Circuit; U.S. District Courts for the District of Columbia, Northern District of New York, District of Minnesota, and the District of Colorado.

4. Brendan S. Thompson is an attorney at Cuneo Gilbert & LaDuca, LLP, located at 507 C Street, NE, Washington, DC, 20002. Cuneo Gilbert & LaDuca, LLP is counsel to plaintiff.

5. I have worked with Mr. Thompson in the prosecution of this matter and others, and have found him to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

5. Accordingly, I am pleased to support and respectfully move for the admission of Mr. Thompson, pro hac vice.

6. I submit a proposed order granting the admission of Mr. Thompson pro hac vice in this case.

7. The background and bar admission of Mr. Thompson are set forth in the sworn petition submitted with this motion.

I hereby declare, under penalty of perjury, that the foregoing is true and correct, based on my personal knowledge and information.

By: s/ Charles J. LaDuca

Date: June 8, 2009

Charles J. LaDuca, Bar #3975927  
CUNEO GILBERT & LADUCA, LLP  
507 C Street, N.E.  
Washington, DC 20002  
(202) 789-3960

# EXHIBITS

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

---

GERALD P. CZUBA, both individually  
and on behalf of a class of others  
similarly situated,

Plaintiff,

v.

IKO MANUFACTURE, INC.,

Defendants.

---

Case No. 09-cv-0409

**DECLARATION OF BRENDAN  
S. THOMPSON IN SUPPORT  
OF THE MOTION FOR  
ADMISSION PRO HAC VICE**

Brendan S. Thompson, being first duly sworn, deposes and states upon personal knowledge and information as follows:

1. I am employed as an associate at the law firm of Cuneo Gilbert & LaDuca, LLP, located at 507 C Street, NE, Washington, DC 20002. I reside at 3741 Benton Street, NW, Washington, DC 20007.

2. I attended and received a Bachelor of Science from the University of Detroit and graduated from the University of Baltimore School of Law in 2008. At Cuneo Gilbert and LaDuca, LLP, I work on civil rights and product liability class actions.

3. I was admitted to practice by the Maryland Court of Appeals on December 18, 2008. I was admitted to practice in United States District Court for the District of Colorado on February 9, 2009. I am admitted to practice in the state of Maryland.

4. I have been retained by Gerald P. Czuba, the Plaintiff in this case, to advise and represent him in the above-captioned litigation. I make this declaration in support of the attached motion for my admission to practice before this Court pro hac

vice.

5. I am a member in good standing in each of the court systems set forth above. I have never been held in contempt of court, censured in a disciplinary proceeding or suspended or disbarred by any court or admonished by any disciplinary committee of the organized bar, or the subject of any pending complaint before any court.

6. I have read and am familiar with:

- (A) the provisions of Judicial Code, 28 §§ 1330-1452;
- (B) the Federal Rules of Civil Procedure;
- (C) the Federal Rules of Civil Procedure;
- (D) the Federal Rules of Evidence;
- (E) the Local Rules of Practice for the United States District Court for the Western District of New York;
- (F) the Revised Plan for the Prompt Disposition of Criminal Cases for the Western District of New York;
- (GF) the New York State Lawyer's Code of Professional responsibility;
- and
- (H) the Civility Principles of the United States District Court for the Western District of New York.

7. I have been requested by Gerald P. Czuba to represent him in this matter. My admission will serve the interests of Gerald P. Czuba, and the class of individuals they seek to represent, and will facilitate the efficient handling of this matter.

I hereby declare, under penalty of perjury, that the foregoing is true and correct, based on my personal knowledge and information.

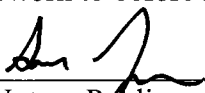
Brendan Thompson

Dated: June 12, 2009

Brendan S. Thompson  
CUNEO GILBERT & LADUCA, LLP  
507 C Street, N.E.  
Washington, DC 20002  
(202) 789-3960

Dist. of Columbia/ss:

Sworn to before me this 8 day of June, 2009

  
Notary Public

**Sean Porter Quinn**  
Notary Public, District of Columbia  
My Commission Expires 4/30/2014



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

**ATTORNEY'S OATH**

STATE OF Dist of Columbia )  
 ) SS:  
 ) COUNTY )

I, Brendan S Thompson Cunco Gilbert & La Duen, LLP, 507 C St, NE  
of Washington, DC 20002  
City, State

do solemnly swear or affirm that I will demean myself, as an attorney and counselor of the United States District Court for the Western District of New York, uprightly and accordingly to law; and I will support the Constitution of the United States. So help me God.

Brendan Thompson  
Signature of Attorney

Subscribed and sworn to before me this 6  
day of May, 2009.

Mary F. Vincent  
Notary Public

**MARY F. VINCENT**  
Notary Public, District of Columbia  
My Commission Expires March 31, 2013

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

**APPENDIX TO CIVILITY PRINCIPLES**

**OATH OF OFFICE**

I do solemnly swear (or affirm):

I will support the Constitution of the United States and the Constitution of the State of New York;

I will maintain the respect due to Courts of Justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor and will never seek to mislead the judge or jury by an artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client and will accept no compensation in connection with his business except from him or with his knowledge and approval;

I will abstain from all offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged;

I will in all other respects conduct myself personally and professionally in conformity with the high standards of conduct imposed on members of the bar as conditions for the privilege to practice law in this State and before this Court.

Brendan Thompson

UNITED STATES DISTRICT COURT  
Western District of New York

ELECTRONIC CASE FILING SYSTEM REGISTRATION FORM

This form is used to register for an account on the Courts' Case Management/Electronic Files (CM/ECF) system. Registered attorneys will have privileges to electronically submit and to view the electronic docket sheets and documents. By registering, attorneys consent to receiving electronic notice of filings through the system. The following information is required for registration:

PLEASE TYPE

First/Middle/Last Name: Brendan Stephen Thompson

Firm Name: Cuneo Gilbert & LaDuca, LLP

Firm Address: 507 C Street, NE

City/State/Zip: Washington, DC 20002

Voice Phone Number: (202) 789-3960 FAX Number: (202) 789-1813

Internet E-Mail Address: brendant@cuneolaw.com

Additional E-Mail Address  
(optional): squinn@cuneolaw.com

Does your E-Mail Software support HTML messages? Yes ☒ No ☐

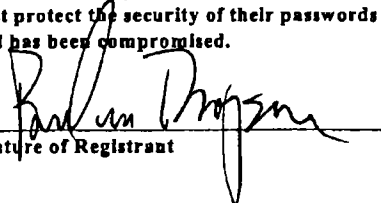
Attorneys seeking to file documents electronically must be admitted to practice in the  
United States District Court for the Western District of New York

Date admitted to practice in this Court: pending

If admitted pro hac vice:

Date motion for pro hac vice granted: pending in case number: 09-cv-409

By submitting this registration form, the undersigned agrees to abide by all Court rules, orders and policies and procedures governing the use of the electronic filing system. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) via the Court's electronic filing system. The combination of user id and password will serve as the signature of the attorney filing the documents. Attorneys must protect the security of their passwords and immediately notify the court if they learn that their password has been compromised.

  
\_\_\_\_\_  
Signature of Registrant

5/6/2009  
\_\_\_\_\_  
Date

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

---

GERALD P. CZUBA, both individually  
and on behalf of a class of others  
similarly situated,

Plaintiff,

v.

IKO MANUFACTURE, INC.,

Defendants.

---

Case No. 09-cv-0409 (WMS)

**ORDER GRANTING ADMISSION TO PRACTICE *PRO HAC VICE***

The motion for admission to practice *pro hac vice* in the above-captioned matter is granted. The admitted attorney:

Brendan S. Thompson

is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay an admission fee and present this Order to the intake deputy in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above-listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Date: \_\_\_\_\_, 2009

---

William M. Skretny

United States District Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

---

GERALD P. CZUBA, both individually  
and on behalf of a class of others  
similarly situated,

Plaintiff,

v.

IKO MANUFACTURE, INC.,

Defendants.

---

Case No. 09-cv-0409 (WMS)

**CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2009, a copy of the foregoing Motion for Admission Pro Hac Vice was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing.

Dated: June 8, 2009  
Washington, D.C.

/s/ Charles J. LaDuca  
Charles J. LaDuca